



## BOARD OF ADJUSTMENT VARIANCE APPLICATION

Case Number: C10- 19-01 Activity Number: T18SA005/8 Date Accepted: 11/27/18**PROPERTY LOCATION INFORMATION**Property Address: 4713 E 13th ST, Tucson AZ 85711Project Description: Converted carport to living space and storage to bedroom, added new bathroomZoning: R-1Property Size (sqft): 8674 sqftNumber of Existing Buildings: 1Number of Stories: 1Height: 14' 8"Legal Description: Franklin Heights Lot 14 Blk 2Pima County Tax Parcel Number/s: 128-11-1320**APPLICANT INFORMATION** (The person processing the application and designated to receive notices):APPLICANT: David & Amelia RasconADDRESS: 4713 E 13th ST, Tucson AZ 85711PHONE: (469) 615-0609FAX: ( )EMAIL: david.rascon@nhausa.comPROPERTY OWNER (If ownership in escrow, please note): Amelia RasconADDRESS: 4713 E 13th ST, Tucson AZ 85711PHONE: (520) 551-6398FAX: ( )

EMAIL: \_\_\_\_\_

PROJECT TYPE (check all that apply):

- ☐ New building on vacant land  
☒ New addition to existing building  
☒ Existing building needs permits  
☐ Landscaping / Screening substitution

- ☐ Change of use to existing building  
☐ New building on developed land  
☐ Modification to wall/fence height  
☐ Other \_\_\_\_\_

Related Permitted Activity Number(s): T18CM06242

I hereby certify that all information contained in this application is complete and true to the best of my knowledge.

SIGNATURE OF OWNER/APPLICANT

11/20/2018

Date



## BOARD OF ADJUSTMENT - PROJECT DESCRIPTION

Provide a description of the project including, but not limited to its lot area, square footage of proposed or existing structures, proposed use/s, is a multiphase project, etc. If this project is the subject of a rezoning or special exception request, HPZ review, or a zoning violation, please provide current status of that case.

Our oldest son is a SMI (Several Mental Illness) person with diagnostic of "Schizophrenia Paranoid" and due to his condition, he needs to be in a full peace environment to reduce or avoid all kind of crisis.

In order to help him and create the environment for him, we decided to make some modifications to our house.

As part of his day by day therapy, he has to keep his room clean and some times he has to cook his own food for breakfast or lunch. Based in the house's floor plan, now he has easy access to the laundry room for his clothes, easy access to the kitchen for his meals and easy acces to the back yard to take the trash to the trash can.

This project was to convert the existing carport to living space, convert the existing storage room to a bedroom with a new bathroom, to remodel existing storage and new rear porch attached to the converted bedroom.

Existing house has 1824 sq-ft and the new project's dimensions are:

Converted living space: 205 sq-ft

Converted bedroom: 173 sq-ft

New bathroom: 47 sq-ft

Remodeled storage: 60 sq-ft

New rear porch: 240 sq-ft

Total Project is: 725 sq-ft

Case Number: C10- 19-01

Activity Number: T18SA00518



## APPLICANT'S REQUEST TO THE BOARD OF ADJUSTMENT

Provide applicable UDC Section reference, what is required and what is proposed/provided for each variance requested.

Unified development code (UDC) Sections applicable to this project include, but are not limited to, the following:  
section 4.7.8 and Table 4.8-2 which provides the criteria for residential development in the R-1 zone; Sections 6.3, and 6.4, which provide the dimensional standards and rules of measurements for perimeter yards setback for all principal and accessory uses, building and structures and height of accessory walls/fences when the wall and fence heights do not exceed two feet above the maximum height permitted.

The required minimum setback to the west lot line and the proposed measurements are showed as followed:

Converted living area: From 8.35' to 6' 1"

Part of the new bathroom (Shower and toilet): From 7.48' to 1.3'

Part of the new bathroom (Sink) and Remodeled storage: From 7.48' to .7'

New rear porch: From 6.95' to 3'

Case Number: C10- 19-01

Activity Number: T18SA00518



## BOARD OF ADJUSTMENT – REQUIRED FINDINGS

Arizona State Statutes and UDC Section 3.10.3.K. state that the Board may grant a variance only if the variance request complies with each and every one of these "Findings" in full. It is up to the applicant to explain to the Board how the request complies with each Finding. **Important Note:** Do not leave any "Finding" unanswered or marked "Not Applicable" or "N/A".

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district;

Due to my son's condition we decided to create a space for him with his own privacy and good environment, but after analyzing all the possible solutions based on the floor plan and all my son's needs, we chose to modify and to remodel the existing building.

We tried to build the new bathroom behind the bedroom but the height of the ground was not high enough to connect the sewer line and that's why we built it next to the bedroom and raise the floor only 4" more.

2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property;

The lot width and our house size was set a long time ago. The logical location of the bathroom is restricted by the build conditions that were set by the original construction of the site.

3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located;

With the granting of the variance, we will enjoy the same privilege like other home owners to be able to have a garage or carport enclosed, storages, buildings or guest houses against the property line and this addition will be consistent with other residential homes around the area.

4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC;

Our house was built in 1958, based on the floor plan, it was more sense to expand to the the west side and provide easy access to my son to his needs.

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BOARD OF ADJUSTMENT – REQUIRED FINDINGS (CONTINUED)

5. That the granting of the variance shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

If the variance is granted, the project will be according to  
the building and fire code.

6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood; and,

the addition ~~is~~ not ~~located~~ immediately adjacent to the  
neighbor house. the majority of the construction is adjacent  
to the back yard of the neighbor.

7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions that are in question.

the variance required is the minimum to meet my son's  
needs.

Case Number: C10-19-01 Activity Number: T18SA00518



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ZONING REVIEW TRANSMITTAL

**FROM:** Mark Castro, Lead Planner 

**PROJECT:** T18CM06242 (T18DV04447)  
Remodel and new bathroom and porch additions

**TRANSMITTAL:** November 20, 2018 \*Revised for B/A\*

**COMMENTS:** The following comments are for the purpose of applying for a variance before the Board of Adjustment (UDC Section 3.10.1).

This site is located in the R-1 zone (UDC 4.7.9). Single-family residential is a permitted use in this zone (Table 4.8-2). See Use Specific Standards 4.9.7.B.6, .9 & .10.

The minimum setback is the greater of six (6) feet, or two-thirds (2/3) the height of the structure's wall facing each interior property line (Table 6.3-2.A).

*The proposed setback of the new attached bathroom and storage room is 1.3' and 0.7' as measured to the west lot line, required is 7.48'.*

*The proposed setback of the attached converted carport is 6'-1" as measured to the west lot line, required is 8.35'*

*The proposed setback of the new attached porch is 3' as measured to the west lot line, required is 6.95'*

Board of Adjustment approval is required prior to zoning approval.



Planning & Development Services Department  
201 N. Stone Avenue  
PO Box 27210  
Tucson, AZ 85726  
(520) 791-5550

Zoning Administration

### Letter of Agency/Authorization

*If the applicant is not the owner of record of the subject site, a Letter of Agency from the owner or the owner's authorized representative must be submitted which grants the applicant permission to submit an application for the requested entitlement(s).*

Date: Nov/20/2018

To:

City of Tucson  
Planning & Development Services Department  
Zoning Administration Division  
PO Box 27210  
Tucson, AZ 85726

Planning & Development Services Department:

I, the undersigned legal owner of record, hereby grant permission to:

Applicant:

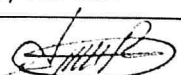
David Rascon

Phone: (469) 615-0609

Applicant's Address:

4713 E 13th St, Tucson, AZ 85711

To submit a Board of Adjustment variance application on my behalf.

The subject property located at:	4713 E 13th St, Tucson, AZ 85711
Assessor's Parcel Number:	128111320
Printed Name of Owner of Record:	Amelia R. Rascon
Address of Owner of Record:	4713 E 13th St, Tucson, AZ 85711
Phone Number of Owner of Record:	(520) 392-8007
Signature of Owner of Record: (must be original signature)	

Case Number: C10- 19-01

Activity Number: T18SA00518



## Pima County Geographic Information Systems

### Parcel 128-11-1320

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Read the [Disclaimer](#). Information on this page is **unofficial**.

Mail name and address	Legal description
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128-11-1320 RASCON AMELIA 4713 E 13TH ST TUCSON AZ 85711-4301	FRANKLIN HEIGHTS LOT 14 BLK 2
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#### Situs (property) address

([About situs addresses](#))

Street Address	Jurisdiction	Postal City	Zip Code	
4713 E 13TH ST	TUCSON	TUCSON	<a href="#">85711</a>	<input type="button" value="ZIP+4 Lookup"/>

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#### Information for this parcel

- **For Assessor parcel details**, copy and paste Parcel ID **128111320** into the [Pima County Assessor's Parcel Search](#). We cannot link directly. Also see [Assessor Record Maps](#).
- [Real Estate Property Tax Inquiry](#) and [Property Tax Statement](#) from the [Pima County Treasurers's Office](#).
- **Recorded Information** from the [Pima County Recorder's Office](#)
  - [Recorded Document](#) for Sequence Number 20141270466.
  - [Voter Precinct and Districts](#)
- [Subdivision Plat Map](#) for Book 9, Page 99.
- Pima County [Sanitary Sewer Connection Search](#) from the [Pima County Regional Wastewater Reclamation Department](#)
- **Permits** from [Pima County Development Services](#)
  - [Permit Database Search](#)
  - [Historical Permit Cards](#) - Prior to about 1998
- [Development Activity Records](#) (permit, plat, rezoning) from [City of Tucson Planning and Development Services](#) [Property Research Online](#).
- [Section Information and Maps](#) for Township 14S, Range 14E, Section 14.  
This parcel's GIS [overlay details Grids group](#) is a **more complete analysis** of sections when parcel boundaries extend outside of the listed section.
- **Floodplain Information** from the [Pima County Regional Flood Control District](#)
  - [Parcel Floodplain Information](#). See [FEMA Digital Flood Insurance Rate Maps \(DFIRMs\)](#) for more.
  - City of Tucson jurisdiction. See [City of Tucson Floodplain Information](#) or call (520) 791-5609.

## Over 100 parcel details from GIS overlay analysis

[Learn more](#) about parcel GIS overlay details. See a [list of all details](#).




<a href="#">Airports</a> <a href="#">Associations</a> <a href="#">Census</a> <a href="#">Comprehensive Plan-Pima Prospers</a> <a href="#">Development</a> <a href="#">Floodplain-Defined by Pima County RFCD</a> <a href="#">Floodplain-FEMA</a> <a href="#">Governmental Districts and Areas</a>	<a href="#">Grids</a> <a href="#">Incentive Zones</a> <a href="#">Jurisdictions</a> <a href="#">Landscape Classifications</a> <a href="#">Miscellaneous</a> <a href="#">Other Regulatory Areas</a> <a href="#">PC Gov. Property Rights</a> <a href="#">Public Safety</a>	<a href="#">Schools</a> <a href="#">Sonoran Desert Conservation Plan</a> <a href="#">Transportation</a> <a href="#">Utilities</a> <a href="#">Zoning</a>
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## Parcel GIS geometry details

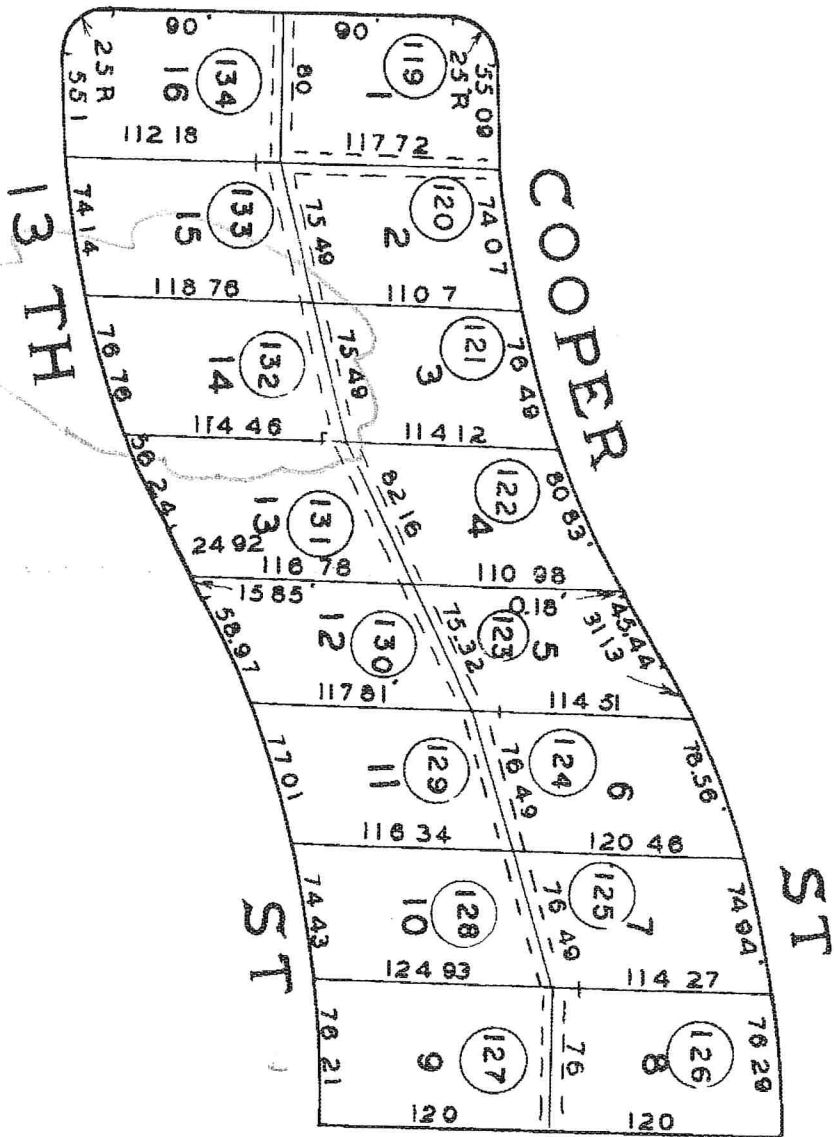
Accuracy is limited to that of the GIS parcel data. All data is subject to this [disclaimer](#).

<b>Parcel centroid coordinates</b>	Approximately 32.218808 degrees latitude, -110.891419 degrees longitude.
<b>Parcel area</b>	<p><b>This is only an estimate from GIS data.</b></p> <p>The <a href="#">Subdivision Plat Map</a> may also specify parcel area. See <a href="#">Finding Parcel Areas</a>.</p> <hr/> <p>Approximately 0.20 acres or 8,674 square feet.</p>

## Zoom to maps of the parcel's area

 <ul style="list-style-type: none"> <li>◦ <a href="#">Main map</a></li> <li>◦ <a href="#">Survey map</a></li> </ul>  <ul style="list-style-type: none"> <li>◦ <a href="#">Main map</a></li> <li>◦ <a href="#">Orthophoto map</a></li> </ul> <b>City of Tucson</b> <ul style="list-style-type: none"> <li>◦ <a href="#">MapTucson</a></li> </ul>	<p><b>Oblique Aerial Photos</b></p> <hr/> <p>You can change the view (N,S,E,W) or pan and zoom the oblique photo.</p> <p>If the parcel centroid is outside the oblique photo area, either a flat map is shown or the page remains empty.</p> <hr/>  <b>PICTOMETRY</b> <small>INTELLIGENT PHOTOGRAPHY</small> <b>Pictometry Photos</b> <a href="#">( Legacy Internet Explorer Viewer )</a> <a href="#">Learn more</a>	<p>Google <a href="#">Area Map</a></p> <p>MAPQUEST <a href="#">Area Map</a></p> <p>bing <a href="#">Area Map</a></p>
	<p>bing <a href="#">Bing Maps Photos</a></p> <p>If you don't see the oblique photo, pick "Bird's Eye".</p>	

# SWAN ROAD



**TO:** Board of Adjustment

**FROM:**

**SUBJECT:** Certification of Mailout for 4713 E 13th St Tucson Az 85711  
*Property Address*

I, David y Amelia Rascoo, certify that on Oct 30 - 2018, mailed notice of the  
*Name* *Date Notices Mailed*  
neighborhood meeting a minimum of (10) days prior to the meeting date to the parties shown on  
the attached mailing label list.

Signature:  Date: Oct 30-2018

Attachments: Copy of mailing label list and receipt from post office

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CORONADO  
255 N ROSEMONT BLVD  
TUCSON  
AZ

85711-9998  
0388850743

10/30/2018 (800)275-8777 2:23 PM

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Product Description	Sale Qty	Final Price
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US Flag Bklt/2 0	4	\$40.00
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(Unit Price:\$10.00)

\$1 Patriotic Wave	80	\$80.00
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(Unit Price:\$1.00)

5c Grapes	80	\$4.00
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(Unit Price:\$0.05)

(PstCd)	80	\$28.00
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Seashells

(Unit Price:\$0.35)

Total		\$152.00
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Debit Card Remit'd	\$152.00
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(Card Name:VISA)

(Account #:XXXXXXXXXX7617)

(Approval #: )

(Transaction #:985)

(Receipt #:027932)

(Debit Card Purchase:\$152.00)

(Cash Back:\$0.00)

(AID:A0000000980840 Chip)

(AL:US DEBIT)

(PIN:Verified)

In a hurry? Self-service kiosks offer  
quick and easy check-out. Any Retail  
Associate can show you how.

Preview your Mail  
Track your Packages  
Sign up for FREE @

Oct 30<sup>th</sup> 2018

Subject: Neighborhood Meeting for our Board of Adjustment Variance Application.

Dear Neighbor,

We have made some modifications in the west and north side of our house for our disabled son that consisted in converting our existing garage into a living area, the existing main storage into a bedroom with a new bathroom, the existing secondary storage was remodeled, as well as adding a new rear porch to the converted bedroom.

Per the City of Tucson Unified Development Code (UDC), the required setback (distance) between the building wall and the west property line is the greater of 6' or 2/3 the height of the building wall facing the west lot line. The following are the required setbacks and what we are proposing. We will be requesting variances from the Board of Adjustment for the proposed setbacks.

- Converted living area: From 8.35' to 6' 1"
- Part of the new bathroom (Shower and toilet): From 7.48' to 1.3'
- Part of the new bathroom (Sink) and Remodeled storage: From 7.48' to .7'
- New rear porch: From 6.95' to 3'

Prior to submitting our variance application to the City of Tucson Planning & Development Services Department, we are required to offer to meet with our neighbors to discuss our project and answer any questions and address any concerns you might have.

The meeting will be held on Saturday, November 10th at 11:00 AM at our property. The address is 4713 E. 13<sup>th</sup> St. Tucson, AZ 85711. There will be an attendance sheet at the meeting, please be sure to sign it. If you are not able to attend the meeting and have questions and/or concerns, feel free to contact me at:

Cell: (469) 615-0609

Email: davidrascon@hotmail.com

A formal application for the variance will be submitted to the City of Tucson Planning and Development Services Department. Once our application is processed, we will be scheduled for a Board of Adjustment public hearing in which you may attend and speak at if so desired. You will receive an official notice from the City as to the date, time and place of the Board of Adjustment public hearing as well as a comment form that you may fill out regarding our project.

Thank you and we look forward to meeting with you.



David & Amelia Rascon  
Property Owners

## Mark Castro - 4713 E 13th ST Neighborhood Meeting Summary

**From:** David Rascon <David.Rascon@nhausa.com>  
**To:** Mark Castro <Mark.Castro@tucsonaz.gov>  
**Date:** 11/12/2018 10:45 AM  
**Subject:** 4713 E 13th ST Neighborhood Meeting Summary  
**Attachments:** Sign in sheet Nov 10 2018.pdf

Good Morning Mark...

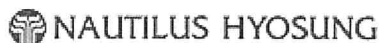
Here is my summary of the Neighborhood Meeting for the above address.

Meeting was scheduled for Saturday November 10<sup>th</sup>, 2018 at 11:00 AM. The meeting started at 11:00 AM. Only my wife Amelia Rascon and I David Rascon were present at the meeting. We both filled out the sign-in sheet. We both waited for 1 Hr. and 15 Min. and did not get any other attendees. The meeting was concluded at 12:15 PM.

Please let me know if you need any additional information.

Thank you and have a great day!

Sincerely,  
 David and Amelia Rascon



DAVID L. RASCON | FIELD SERVICE ENGINEER  
 AZ, NV and NM TEAM LEADER  
 6641 N. Beltline Road, Suite 100 Irving, TX 75063  
 C: (469) 615-0609 [david.rascon@nhausa.com](mailto:david.rascon@nhausa.com)

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Mark Castro

Hello David,

11/13/2018 7:23 AM

This is fine. Please be sure to include a copy of the address labels, proof of mailing, and the letter that you mailed out as well when you submit the variance application.

Let me know when you are ready to submit the variance application

Thank you,

Sign-in Sheet for 4713 E. 13<sup>th</sup> St. On-site Meeting November 10<sup>th</sup> 2018

[illegible]

To whom this may concern.

I Linda Mathews 4726 E. 13th St. approve all the modifications in the west and north side of the Rascon's family house at 4713 E 13<sup>th</sup> St for their disabled son that consisted in converting the existing garage into a living area, the existing main storage into a bedroom with a new bathroom, the existing secondary storage was remodeled, as well as adding a new rear porch to the converted bedroom.

Linda Mathews

**Signature**

11-10-18

**Date**

To whom this may concern.

I LARRY GERALD 4714 E 13th ST approve all the modifications in the west and north side of the Rascon's family house at 4713 E 13<sup>th</sup> St for their disabled son that consisted in converting the existing garage into a living area, the existing main storage into a bedroom with a new bathroom, the existing secondary storage was remodeled, as well as adding a new rear porch to the converted bedroom.

  11.10.18  
Signature Date

I don't think it should be an issue.  
anything to help family & and my family  
support our neighbors.

To whom this may concern.

4708 E. 13<sup>th</sup> St

I Wanda J. Scott-Broussard approve all the modifications in the west and north side of the Rascon's family house at 4713 E 13<sup>th</sup> St for their disabled son that consisted in converting the existing garage into a living area, the existing main storage into a bedroom with a new bathroom, the existing secondary storage was remodeled, as well as adding a new rear porch to the converted bedroom.

Wanda Scott-Broussard

Signature

11-10-2018

Date

I am signing this with the provision that every agreeable change can be compromised between my neighbor and the Rascons. I definitely understand the grave needs for these improvements to accommodate those of their son. I would like for some like settlement/agreement to be made with both sets of neighbors on each side of 4713 E. 13<sup>th</sup> St. I will support all the neighbors involved.

Prayerfully,  
Wanda Scott-Broussard  
Wanda J. Scott Broussard

To whom this may concern.

I Arturo Mendoza approve all the modifications in the west and north side of the Rascon's family house at 4713 E 13<sup>th</sup> St for their disabled son that consisted in converting the existing garage into a living area, the existing main storage into a bedroom with a new bathroom, the existing secondary storage was remodeled, as well as adding a new rear porch to the converted bedroom.

  
\_\_\_\_\_  
**Signature**

11/19/18  
\_\_\_\_\_  
**Date**



## **Crisis Response**

NETWORK Eligibility & Care Services

3/16/2017

CRN Case ID: 1kcq4zj

**TO:** David Rascon  
4713 E 13th St  
Tucson, AZ 85711-4301

**FROM:** Crisis Response Network  
1295 W. Washington, Suite 101  
Tempe, AZ 85281

Dear David Rascon

CODAC Behavioral Health recently evaluated you. Based upon the information provided by the evaluator, which was reviewed by a Crisis Response Network Psychiatrist or Psychologist, you have been found **eligible** for Seriously Mentally Ill (SMI) services.

Your information has been forwarded to Cenpatico Integrated Care. Cenpatico will assign you to a clinic for services. Please contact a customer service representative at Cenpatico to discuss your clinic assignment. You may reach Cenpatico Integrated Care at:

Cenpatico Integrated Care  
1501 W. Fountainhead Pkway, Suite 360  
Tempe, AZ 85282  
1-866-495-6738

If you are in need of emergency mental health services, you may contact the 24-hour Cenpatico crisis line at 1-866-495-6735. For any other community resource information, call Community Information & Referral Services at 211.

Thank you,  
Crisis Response Network  
SMI Eligibility and Care Services Program

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Administrative Office  
Crisis Response Network, Inc.  
1295 W. Washington, Suite 101  
Tempe, AZ 85281

Toll Free: 1-855-832-2866  
[www.crisisnetwork.org](http://www.crisisnetwork.org)



**Crisis Response**  
NETWORK Eligibility & Care Services

**NOTICE OF SMI DETERMINATION AND RIGHT TO APPEAL**

3/16/2017

CRN Case ID: 1kcq4zj

**TO:**

David Rascon  
4713 E 13th St  
Tucson, AZ 85711-4301

**FROM:**

Crisis Response Network  
1295 W. Washington, Suite 101  
Tempe, AZ 85281

---

**OUR DECISION:**

The Crisis Response Network has determined that David Rascon is eligible to receive SMI services.

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**DATE OF DECISION:** 3/16/2017 (AN APPEAL MUST BE FILED WITHIN 60 DAYS OF THIS DATE)

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(Applicant must be 18 years old to begin utilizing the SMI benefits)

**YOUR RIGHT TO APPEAL:**

**How to Appeal**

Within 60 days of this decision, you may appeal orally by calling 1-866-796-5598. Additionally your appeal may be submitted in writing by completing PM Form 5.3.1. ADHS/DBHS Appeal or SMI Grievance Form and sending it to Crisis Response Network, 1275 W. Washington, Suite 102, Tempe, AZ 85281. Your appeal will begin at the Crisis Response Network for SMI eligibility determination related issues. If your appeal is not resolved by the Crisis Response Network, you have a right to request an administrative hearing.

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**HOW TO GET HELP WITH YOUR APPEAL:**

To ask for help with this appeal you may contact the Crisis Response Network at 1-855-832-2866 or the State Protection and Advocacy System, the Arizona Center for Disability Law 1-800-927-2260 in Phoenix

For Translation or alternative format requests, call 1-855-832-2866  
Para recibir esta forma en español, llama a 1-855-832-2866

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**Administrative Office**  
Crisis Response Network, Inc.  
1295 W. Washington, Suite 101  
Tempe, AZ 85281

Toll Free: 1-855-832-2866  
[www.crisisnetwork.org](http://www.crisisnetwork.org)

To Whom It May Concern:

November 19, 2018

Amelia Rascon is an active member with NAMI Southern Arizona since October 2013; she started attending the NAMI Connection, a support group for individuals that live with a mental health disorder to understand her son's mental illness. She has been involved in her son's treatment and recovery which includes taking the Familia a Familia Educational Course and Familia y Amigos Support Group for family members; to which she keeps attending every third Thursday of the month since March 2014; her husband David L. Rascon joined the support group on July 2018.

Please contact me with any questions.

Thank you.



**Yazmín García CRCS**  
Program Coordinator

Peer-to-Peer; Persona a Persona and Familia a Familia